

Hand-Delivered
district court of the United States
Western North Carolina Asheville

UNITED STATES OF AMERICA
NON INJURED FICTITIOUS Plaintiff

CASE# 1:22 CR 72-1

Vs

Darris Gibson 'last name of Moody'
Petitioner

FILED
ASHEVILLE, NC
NOV - 7 2022
U.S. DISTRICT COURT
W. DISTRICT OF N.C.

**ADMINISTRATIVE NOTICE; IN THE NATURE OF WRIT OF ERROR CORAM NOBIS &
A DEMAND FOR DISMISSAL OR STATE THE PROPER JURISDICTION**

Now comes Darris Gibson 'last name of moody' a non corporate entity with a
ADMINISTRATIVE NOTICE; IN THE NATURE OF WRIT OF ERROR CORAM NOBIS & A
DEMAND FOR DISMISSAL OR STATE THE PROPER JURISDICTION. Pursuant to FRCP Rule
4 (j)

This Court is defined under FRCP Rule 4 (j) as a FOREIGN STATE as defined under 28
USC 1602 -1611 FOREIGN SOVEREIGN IMMUNITY ACT (FSIA) is being jurisdictionally
challenged and full disclosure of the true jurisdiction of this Court is now being demanded.

Any failure to disclose the true jurisdiction is a violation of **15 Statutes at Large, Chapter
249 (section 1), enacted July 27 1868**

Chap. CCXLIX. ---An Act concerning the Rights of American Citizens in foreign States

Whereas the rights of expatriation is a nature and inherent right of all people, indispensable
to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the
recognition of this principle this government has freely received emigrants from all nations, and
invested them with the right of citizenship; and whereas it is claimed that such American citizens,
with their descendants, are subjects of foreign states, owing allegiance to the government thereof;
and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance
should be promptly and finally disavowed; Thereof.

Be it enacted by the Senator and the House of Representatives of the United States of
American in Congress assembled, That any declaration, instruction, opinion, order, or decision, of
any officers of government which denies., restricts, impairs or questions the rights of expatriation, is
hereby declared inconsistent with the fundamental principles of this government.

As an American Citizen I hold the inherent right of the 11th amendment. The judicial power shall not be construed to extend to any suit in law or equity, commenced or prosecuted by a Foreign State.

If this FOREIGN STATE is misusing the name of this America Citizen by placing, it in all caps or misusing the last name or using the term "person" as a CORPORATION all complaints and suit against such CORPORATION fall under the FSIA and the DEPT OF STATE OFFICES in Washington DC. DC now must be notified pursuant to 22 CFR 93.1 -93.2. A copy of the FSIA has to be filed with the complaint to the defendant's chief executive officer of that CORPORATION. The Court cannot trick or use misleading deceptive practices to get this party to accept a foreign attorney as defined under Rule 4 (i), or (j) and 28 USC 1608 to act as legal counsel without full disclosure that without proper notification to this party immunities under foreign State has been remove by false and misleading representation. The Government has failed to comply with proper service under Rule 4 and under criminal rules for servicing and proper notification.

MUNICIPAL, COUNTY, OR STATE COURT lacks jurisdiction to hear any case under the FOREIGN STATE definitions. This jurisdiction lies with the district court of the United States and not the UNITED STATES DISTRICT COURT under the FSIA Statutes pursuant to 28 USC 1330.

Because the Defendant is a non-corporate entity and is not registered with any Secretary of State as a CORPORATION the Prosecution has FAILED to state a claim to which relief can be granted under 12(b) (6). Therefore this matter must be dismissed for lack of political, personam, and subject matter jurisdiction, Venue and under the 11th amendment.

Definitions

Corpus Juris Secundum "The Body of Law" or Legal encyclopedia, Volume 7, Section 4: as quoted:

"Attorney & client: An Attorney's "first" duty is to the Courts (1st) and the public (2nd) and not to the client (3rd), and wherever the duties to an attorney's client "conflict" with those interests that he/she owes his allegiance to, as an officer of the court in the administration of justice, the former

must yield to the latter". The Biggest problem today is that People do not know their own rights & blindly entrust their rights to someone else.

BLACK'S LAW DICTIONARY FIFTH EDITION

Foreign Court

The courts of a foreign state or nation. In the United States, this term is frequently applied to the courts of one of the states when their judgment or records are introduced in the courts of another.

Foreign jurisdiction

Any jurisdiction foreign to that of the forum; e.g. a sister state or another country. Also the exercise by a state or nation jurisdiction beyond its own territory. Long - arm

Service of process is a form of such foreign or extraterritorial jurisdiction

Foreign laws

The laws of a foreign country, or of a sister state. In conflict of law, the legal principle of jurisprudence which are part of the law of a sister state or nation. Foreign laws are additions to our own laws, and in that respect are called "jus receptum"

Foreign corporation

A corporation doing business in one state though chartered or incorporated in another state is a foreign corporation as to the first state, and, as such, is required to consent to certain conditions and restrictions in order to do business in such a first state. Under federal tax laws, a foreign corporation is one which is not organized under the law of one of the states or territories of the United States.

I.R.C. § 7701 (a) (5). Service of process on foreign corporations is governed by the Fed. R. Civ. P. 4

See also Corporation

TITLE 26 - INTERNAL REVENUE CODE, Subtitle F - Procedure and Administration,
CHAPTER 79 – DEFINITIONS Sec. 7701. Definitions (5) Foreign The term "foreign" when applied to a corporation or partnership means a corporation or partnership which is not domestic."

Foreign service of process

Service of process for the acquisition of jurisdiction by a court in the United States upon a person in a foreign country is prescribed by Fed R. Civ. P. 4 (i) and 28 U.S.C.A. § 1608. Service of process on foreign corporations is governed by Fed. R. Civ. P. 4(d) (3)

Foreign states

Nations which are outside the United States. Term may also refer to another state; i.e. a sister state.

Foreign immunity

With respect to jurisdiction immunity of foreign nations, see 28 U.S.C.A 1602 et seq.

Profiteering

Taking advantage of unusual or exceptional circumstances to make excessive profit; e.g. selling scarce or essential goods at inflated prices during times of emergency or war.

Person

In general usage, a human being (i.e. nature person) thought by statute term may include a firm, labor organizations, partnerships, associations, corporations, legal representative, trustees, trustees in bankruptcy, or receivers. National Labor Relations act, §2(1).

A corporation is a "person" within the meaning of equal protection and due process provisions of the United States Constitution.

Writ of error coram nobis

A common-law writ, the purpose of which is to correct a judgment in the same court in which it was rendered, on the ground of error of fact, for which it was statutes provides no other remedy, which fact did not appear of record, or was unknown to the court when judgment was pronounced, and which, if known would have prevented the judgment, and which was unknown, and could of reasonable diligence in time to have been otherwise presented to the court, unless he was prevented from so presenting them by duress, fear, or other sufficient cause.

At common law in England, it was issued from the Court of Kings Bench to a judgment of that court. Its principal aim is to afford the court in which an action was tried and opportunity to correct it on record with reference to a vital fact not known when the judgment was rendered. It is also said that at common law. It lay to correct purely ministerial errors of the officers of the court.

A handwritten signature in cursive script that reads "Darris Gibson 'last name of moody'".

Darris Gibson 'last name of moody'

2302 Ratcliff Cove Rd.

Waynesville, North Carolina, 28786

CERTIFICATE SERVICE

I, Darris Gibson 'last name of moody' in the year of our lord 2022 in Nov, on this 7th day, file this Court filing before the Clerk of Court and all others by USPS mail.

Darris Gibson 'last name of moody'

Darris Gibson 'last name of moody'
2302 Ratcliff Cove Rd.
Waynesville, North Carolina, 28786

Cc
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